

ESTTA Tracking number: **ESTTA335267**

Filing date: **03/03/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92051265
Party	Plaintiff Manzanilla La Pastora, S.A. de C.V.
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Submission	Withdrawal of Cancellation
Filer's Name	Melissa LaBauve
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Date	03/03/2010
Attachments	Motion To Dismiss Cancellation1.pdf ( 4 pages )(1444849 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Manzanilla La Pastora, S.A. de C.V.	§		Mark: LA PASTORA
	§		
Petitioner	§		- Reg. No. 3623666
	§		- Registered 5-19-2009
v.	§		
Ricardo A. Lopez	§	Cancellation No. 92051265	
Hector Lezama-Lopez	§		
Maria Montserrat Verdugo-Sanchez	§		
	§		
Respondents	§		

**MOTION TO DISMISS CANCELLATION**

Respondents, Richardo A. Lopez, Hector Lezama-Lopez, and Maria Montserrat Verdugo-Sanchez, ("Respondents"), the owners of U.S. Trademark Registration No. 3623666, for the mark LA PASTORA, Petitioner, Manzanilla La Pastora, S.A. de C.V. ("Petitioner"), have arrived at a negotiated and final settlement of the issues raised in the above-captioned proceeding, namely, Cancellation No. 9051265 (the "Proceeding").

In accordance with the terms of the settlement agreement between the parties, Respondents have agreed to assign all right, title and interest in U.S. Trademark Registration No. 3623666 to Petitioner. In light of Respondents' assignment of U.S. Trademark Registration No. 3623666, Petitioner hereby moves the Board to dismiss the Proceeding with prejudice.

Contingent upon the assignment of Registration No. 3623666, Respondents and Petitioner stipulate to the dismissal of the Proceeding in its entirety.

Respectfully submitted,

Melissa S. LaBauve

David Bell

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Date: 3-3-2010

By: 

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Ricardo A. Lopez, Hector Lezama-Lopez,

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By: 

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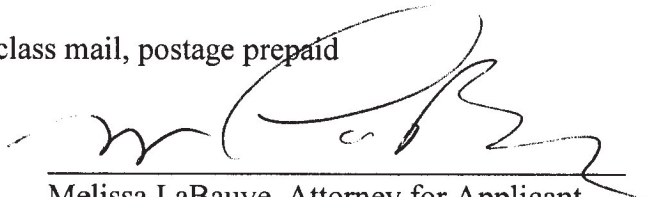
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on March 3, 2010, the foregoing *Motion to Dismiss Cancellation* was served on the following correspondent of record for the Registrants, with a courtesy copy to Registrants' counsel, in the manner indicated below:

.....via first class mail, postage prepaid

  
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Melissa LaBauve, Attorney for Applicant